

Merrick, AJ

From: McMurdo, Craig
Sent: Friday, October 15, 2004 3:02 PM
To: Creighton, Rita
Cc: Merrick, AJ; Burke, Robert; Wold, Marcia
Subject: RE: PDR-Sumit

Hi folks -

Per my conversation with Rita, I have reviewed the 5-day response letter that AJ prepared and am comfortable with it. My only input is that we might want re-emphasize at the end of the letter that as written, their public disclosure request is overly burdensome and requires significant narrowing, since it is KCDOT's legal responsibility to review all pages for exemptions as outlined under RCW 42.17.310 before they can be made available for public review. Technically, we can deny their request based on its scope if it interferes with the "essential duties" of an agency. It could be argued that a request this size would essentially do just that. There's an article in the P-I that touches on this at:

http://seattlepi.nwsourc.com/local/173342_monorail14.html?searchpagefrom=3&searchdiff=147

I'd like to note that the portion of the request that concerns me the most in this regard is the part that asks for "all information regarding the historical operations and uses of the area." This could be interpreted as ALL documents in addition to the environmental materials they are seeking.

Also, by law (RCW 42.17.300) we can only charge \$0.15 per page, so your reference to the \$0.25 charge needs to be amended.

Thanks again for the heads-up. Let me know what their response to this is. I'll be happy to work with you on this request.

- Craig Mc

-----Original Message-----

From: Creighton, Rita
Sent: Thursday, October 14, 2004 2:27 PM
To: McMurdo, Craig
Cc: Merrick, AJ; Burke, Robert; Wold, Marcia
Subject: FW: PDR-Sumit

Craig -- As you requested, I am forwarding the draft letter for your review. AJ Merrick has already started preliminary work on the request, but recognizes that this could be very large and take some length of time to complete. Like you, he is also keenly aware of the need to respond within RCW guidelines.

Because of the potential sensitive issues involving the Steamplant, Bob would like you (as DOT Public Information Request guru) to provide us any pertinent advice before the letter is sent to Summit Law Group. Please advise both AJ and Bob with any recommendations. Thanks, Rita

-----Original Message-----

From: Merrick, AJ
Sent: Thursday, October 14, 2004 11:43 AM
To: Burke, Robert; Wold, Marcia; Creighton, Rita
Subject: PDR-Sumit

Hi Folks, Attached is my suggested response to the Summit PDR, please wordsmith as you feel appropriate, I'd like to send out Oct 15, I must send out a response by October 18, in order to remain in compliance with State and County Laws relative

10/18/2004

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to Public Disclosure. Thanks....

A.J. Merrick
Records and Information Manager
King County International Airport
(206) 296-7420

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